

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

TYREIK LARRY WATSON,	)		
	)		
Movant,	)		
	)		
v.	)	Case No.	CV416-145
	)		CR413-128
UNITED STATES OF AMERICA,	)		
	)		
Respondent.	)		

**REPORT AND RECOMMENATION**

This Court recently illuminated filing-date discrepancies in Tyreik Larry Watson’s 28 U.S.C. § 2255 motion. *Watson v. United States*, 2016 WL 3581938 at \* 1 (S.D. Ga. June 27, 2016). Those discrepancies suggested that Watson engaged in date-manipulation to defeat 2255(f)(1)’s one-year limitations period. Warning him not to perjure himself, the Court directed him to file a “*Mingo Statement*”<sup>1</sup> by July 13,

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<sup>1</sup> See *Mingo v. United States*, 2014 WL 5393575 (S.D. Ga. Oct. 23, 2014) (sending movant Mingo a special 28 U.S.C. § 1746 Declaration form for him to “affirm or rebut” his appointed lawyer’s assertions on his claim that counsel ignored his directive to file an appeal), cited in *Marshall v. United States*, 2015 WL 3936033 at \* 2 (S.D. Ga. June 26, 2015) (“It is this Court’s practice to request sworn affidavits or 28 U.S.C. § 1746 Declarations from allegedly errant lawyers and movants before a hearing.”).

2016. *Id.* at \* 2 (citing *Williams v. United States*, 2016 WL 3194368 at \* 2 (S.D. Ga. June 6, 2016)).

Because he has failed to comply, Watson's § 2255 motion (doc. 52) should be dismissed without prejudice. See L.R. 41(b); see *Betty K Agencies, Ltd. v. M/V Monada*, 432 F.3d 1333, 1337 (11th Cir. 2005) (district courts may *sua sponte* dismiss an action pursuant to Fed. R. Civ. P. 41(b) if the plaintiff fails to comply with court rules or a court order); *Donaldson v. Clark*, 819 F.2d 1551, 1557 n. 6 (11th Cir. 1987) (district court has inherent authority to sanction parties for "violations of procedural rules or court orders," up to and including dismissals with prejudice).

**SO REPORTED AND RECOMMENDED**, this 25<sup>th</sup> day of July, 2016.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA